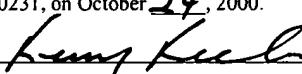


PATENT
Docket No. 459992000700

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CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 24, 2000.


Kerry Keehan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Benjamin D. PLESS

Serial No.: 09/543,264

Filing Date: April 5, 2000

For: NEUROSTIMULATOR INVOLVING
STIMULATION STRATEGIES AND
PROCESS FOR USING IT



Examiner: To Be Assigned

Group Art Unit: 3762

TC 3700 MAIL ROOM
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

Applicant brings to the attention of the Examiner the U.S. copending patent application nos. 09/323,407 filed on June 1, 1999; 09/517,797 filed on March 2, 2000; and 09/543,450 filed

on April 5, 2000. No copies are submitted herewith as permitted by 37 C.F.R. § 1.98 (a)(2)(iii). The Examiner is requested to make this document of record.

Applicant also brings to the attention of the Examiner each of the following references, cited in the Form 1449, for which an English counterpart patent was found.

1. The English counterpart of German patent no. 8706912 (reference no. 74) is U.S. patent no. 5,372,598 (reference no. 39);
2. the English counterpart of German patent no. 3701765 (reference no. 75) is European patent no. 0 276 153 (reference no. 76);
3. the English counterpart of European patent no. 0 291 632 (reference no. 78) is U.S. patent no. 5,372, 598 (reference no. 39).
4. the English counterpart of European patent no. 0 347 658 (reference no. 79) is U.S. patent no. 5,129,903 (reference no. 16); and finally
5. the English counterpart of German patent no. 4028021 (reference no. 80) is the United Kingdom patent no. 0 433 852 (reference no. 81), national phase of European patent no. 0 433 852.

This Information Disclosure Statement is submitted:

Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are believed to be required.

After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

A fee is required.

A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure

Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

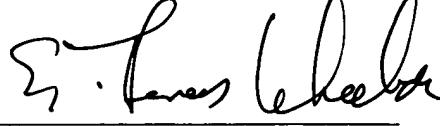
In the unlikely event that the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **459992000700**.

However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 23, 2000

Respectfully submitted,

By: _____


E. Thomas Wheelock
Registration No. 28,825

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5739
Facsimile: (650) 494-0792